

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Panchayat Raj & Rural Development Department – Allegation of corruption against Sri Moturi Venkata Durga Prasad, Assistant Executive Engineer, Panchayat Raj, Medak Mandal, Medak district Trapped on 01-02-2012 - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal), Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.239

Dated:07.02.2014.

ORDER:

It is proposed to hold an enquiry against Sri Moturi Venkata Durga Prasad, Assistant Executive Engineer, Panchayat Raj, Medak Mandal, Medak district in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of article of charge is enclosed as Annexure-II. A list of witnesses by whom and a list of documents by which the articles of charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri Moturi Venkata Durga Prasad, Assistant Executive Engineer, Panchayat Raj, Medak Mandal, Medak district, is directed to submit within (10) days of the receipt of this order, a Written statement of defence. He is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

4. Sri Moturi Venkata Durga Prasad, Assistant Executive Engineer, Panchayat Raj, Medak Mandal, Medak district, is further informed that if he does not submit his written statement of defence within the stipulated period specified in para (3) above, further action will be processed based on the material available.

5. Attention of Sri Moturi Venkata Durga Prasad, Assistant Executive Engineer, Panchayat Raj, Medak Mandal, Medak district, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

6. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

Sri Moturi Venkata Durga Prasad, Assistant Executive Engineer,
Panchayat Raj, Medak Mandal, Medak district through
the Engineer-in-Chief, Panchayat Raj, Hyderabad.

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The Engineer-in-Chief, Panchayat Raj , Hyderabad.

(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary to VC, APVC, Hyderabad.

SF/SCs.

// FORWARDED :BY ORDER //

SECTION OFFICER

ANNEXURE-I

(Annexure to G.O.Rt.No.239, PR&RD (Vig.I) Dept., dt.07.02.2014)

ARTICLE OF CHARGES FRAMED AGAINST SRI M.V.DURGA PRASAD, ASSISTANT EXECUTIVE ENGINEER (PR), MEDAK MANDAL, MEDAK DISTRICT.

That Sri M.V.Durga Prasad, Assistant Executive Engineer (PR), Medak Mandal, Medak District joined in Government service as Work Inspector on 09.03.1992 and subsequently he was promoted as Assistant Executive Engineer on 29.10.1994. While working as AEE (PR), Medak Mandal of Medak District from 21.08.2009 to 31.01.2012 (i.e. date of his suspension) he committed grave misconduct in as much as he failed to submit his Annual Property Returns to the department showing possession of movable and immovable properties during the period from 21.08.2009 to till date and there by failed to maintain absolute integrity in violation of A.P.C.S. (Conduct) Rules, 1964.

Thus Sri M.V.Durga Prasad, Assistant Executive Engineer (PR), Medak Mandal, Medak district by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct unbecoming of public servant and thereby contravened Rule 9 (7) of A.P. Civil Services (Conduct) Rules, 1964.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

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ANNEXURE-II

(Annexure to G.O.Rt.No239, PR&RD (Vig.I) Dept., dt.07.02.2014)

STATEMENT SHOWING THE IMPUTATION OF MIS-CONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI MOTURI VENKATA DURGA PRASAD, ASSISTANT EXECUTIVE ENGINEER (PANCHAYAT RAJ), MEDAK MANDAL, MEDAK DISTRICT.

That Sri Moturi Venkata Durga Prasad, A.E.E. (PR), Medak Mandal, Medak District. His date of birth is 26.02.1965. He joined in Government service on 09.03.1992 as Work Inspector in Mandal Praja Parishad, Polavaram of West Godavari District and subsequently he was promoted as AEE on 29.10.1994. He worked as AEE (PR), Medak Mandal of Medak district from 21.08.2009 to 31.01.2012 (i.e. date of his suspension). While working in the aforesaid capacity he was placed under suspension vide proceedings No.Vig.1(6)/1016/2012, dated:08.02.2012 of Engineer-in-Chief, PR, Hyderabad. His date of superannuation is 28.02.2023. He is hereinafter referred to Government Servant (GS).

While the Government Servant working as AEE (PR), Medak Mandal of Medak district from 21.08.2009 to 31.01.2012 (i.e. date of his suspension) he committed grave misconduct in as much as he failed to submit his Annual Property Returns to the Government and thereby failed to maintain absolute integrity and thus violated A.P.C.S. (Conduct) Rules, 1964.

Brief facts of the case are that Sri Nalla Lakshman, Ex.Sarpanch of Thimmanagar Village was entrusted with the construction work of school building in the village and that on the day of sivaratri in the year 2011 the Government Servant visited the village handed over the building plan to Sri Nalla Lakshman. That Sri Nalla Lakshman commenced the work and completed the work of pillars, basement and RCC slab work for which the Government Servant Sri M.V.D. Prasad recorded the measurements in the book, submitted the same to EE who sanctioned the bills for the work executed by Sri Nalla Lakshman and the amounts were deposited in the account of Sri Nalla Lakshman. That on 20.01.2012 when Sri Nalla Lakshman went to the office of the Government Servant and requested him to give further plan to complete the construction work, the Government Servant demanded Rs.10,000/- as reward for processing the bills for the earlier works executed by Sri Nalla Lakshman and for giving plan for further construction and when Sri Nalla Lakshman pleaded inability to pay that amount, the Government Servant reduced the bribe amount to Rs.9,000/-. As Sri Nalla Lakshman was not willing to give the bribe he lodged report to DSP, ACB, Nizamabad on which a case in Cr.No.3/RCT/NMD/2012 for offence u/s 7 of PC Act was registered and then a successful trap was laid against the Government Servant when he further demanded and accepted the bribe of Rs.9,000/- from Sri Nalla Lakshman.

During the course of investigation a letter was addressed to the EE (PR), Siddipet division of Medak district to furnish the copies of the Annual Property Returns filed by the Government Servant. The EE (PR), Siddipet division of Medak district vide letter No.A2/257/2012, dated:24.02.2012 informed that the Accused Officer has not submitted Annual Property Returns, neither in MPP Medak Office nor in EE (PR), Office, Siddipet from 21.08.2009 to till date. As per the Rule 9 (7) of APCS (Conduct) Rules, 1964 every Government Servant has to file Annual Property Returns as per the prescribed proforma by the end of the each year intimating the movable and immovable properties held by him to the head of the department without fail but he has failed to do so.

Thus the Government Servant by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct unbecoming of a public servant and thereby contravened rule 9 (7) of A.P. Civil Service (Conduct) Rules, 1964.

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Thus the Government Servant has rendered himself liable for regular departmental action for a major penalty.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

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ANNEXURE-III

(Annexure to G.O.Rt.No 239, PR&RD (Vig.I) Dept., dt.07.02.2014)

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES IS PROPOSED TO BE SUSTAINED AGAINST SRI MOTURI VENKATA DURGA PRASAD, ASSISTANT EXECUTIVE ENGINEER (PANCHAYAT RAJ), MEDAK MANDAL, MEDAK DISTRICT.

1. Sri N.Ashok, Executive Engineer, Panchayat Raj, division Siddipet of Medak District.
2. Sri T.Shankar Reddy, Deputy Superintendent of Police, ACB, Nizamabad Range, Nizamabad.

Note: Any other witnesses if found necessary will be produced during the course of the inquiry.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

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ANNEXURE-IV

(Annexure to G.O.Rt.No.239, PR&RD (Vig.I) Dept., dt.07.02.2014)

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES IS PROPOSED TO BE SUSTAINED AGAINST SRI MOTURI VENKATA DURGA PRASAD, ASSISTANT EXECUTIVE ENGINEER (PANCHAYAT RAJ), MEDAK MANDAL, MEDAK DISTRICT.

1. Letter No.A2/257/2012, dated:24.02.2012 of Executive Engineer, Panchayat Raj, Siddipet division of Medak district.

Note: Any other document if found necessary will be produced during the course of the inquiry.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

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